IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION 651 OF 2006.
IN
CRIMINAL APPLICATION NO.3410 OF 2006.

C.B.I., Anti Corruption ... Applicant.
V/s.
Bandu Pandurang Chalke & anr.... Respondents.

Shri J.R.Solanki for the Applicant.

Shri S.R. Shinde, APP for the State.

CORAM: J.H.BHATIA,J

DATED: 19th January 2007.

P.C.:

. Heard Shri Solanki, learned Public Prosecutor appearing for the applicant- C.B.I. Affidavit of service is filed by the Assistant Sub-Inspector- Sanjay Narayan Parab, which reveals that respondent No.1 was not available and he had gone to his native place at Kolhapur. He contacted son of the respondent No.1 and actually served notice to him. The father and son are reportedly living together. Son is also serving in Tata Memorial Hospital and therefore, service is treated as proper.

2. None for the respondent No.1. There is delay of 115 days in filing appeal against the order of acquittal. By this application, the

applicant seeks condonation of delay in filing appeal. According to the applicant, the file was required to be moved from Bombay to Ministry of Law at Delhi and back to Bombay which took a lot of time. As the impugned order is of acquittal of the accused in corruption case and delay has been explained satisfactorily, this application is allowed and delay in filing appeal is condoned.

3. Criminal Application No. 3410 of 2006 be listed for admission after 3 weeks.

(J.H. BHATIA,J)